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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/879,002	06/12/2001	Karim Rouan Cham	44378-323453(13131-0110)	3362

7590 03/31/2004  
Kilpatrick Stockton LLP  
Attn: John S Pratt  
1100 Peachtree Street  
Suite 2800  
Atlanta, GA 30309-4530

EXAMINER

BIANCO, PATRICIA

ART UNIT PAPER NUMBER

3762

DATE MAILED: 03/31/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Art Unit: 3762

***Notic of Nonresponsiv Am ndm nt***

The reply filed on 6/23/03 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): See 37 CFR 1.111.

The amendment(s) made to claim 41, which was not part of the original patent, are improper. Applicant is reminded of the rule 37 CFR 1.173(b)(2), which relates to the manner of making amendments to the claims in reissue applications. It is not to be used for making amendments to the remainder of the specification or to the drawings. 37 CFR 1.173(b)(2) requires that:

(A) For each claim that is being amended by the amendment being submitted (the current amendment), the entire text of the claim must be presented with markings as defined above; (B) For each new claim added to the reissue by the amendment being submitted (the current amendment), the entire text of the added claim must be presented completely underlined; (C) A patent claim should be canceled by a direction to cancel that claim, there is no need to present the patent claim surrounded by brackets; and (D) A new claim (previously added in the reissue) should be canceled by a direction to cancel that claim. Original patent claims are never to be renumbered; see 37 CFR 1.173(e). A patent claim retains its number even if it is canceled in the reissue proceeding, and the numbering of any added claims must begin after the last original patent claim. Pursuant to 37 CFR 1.173(c), each amendment submitted must set forth the status of all patent claims and all added claims as of the date of the submission. The status to be set forth is whether the claim is pending or canceled. The failure to submit the claim status will generally result in a notification to applicant that the amendment

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prior to final rejection is not completely responsive (see 37 CFR 1.135(c)). Such an amendment after final rejection will not be entered.

Therefore, claim 42 should have been underlined in its entirety.

Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Also, applicant stated on page 6 of the response that they "have provided the original patent and certificate of correction" in compliance with 37 C.F.R 1.178. However, accompanying the response was a copy of the certificate of correction and original patent. Please note: if the application should move to allowance in the future, the actual, original patent or statement of loss will be required. The original patent, or a statement as to loss or inaccessibility of the original patent, must be received before this reissue application can be allowed. See 37 CFR 1.178.

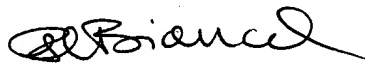
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patricia M Bianco whose telephone number is (703) 305-1482. The examiner can normally be reached on Monday to Friday 9:00-6:30, alternate Fridays off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Angela Sykes can be reached on (703) 308-5181. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

March 30<sup>th</sup>, 2004

  
Patricia M Bianco  
Primary Examiner  
Art Unit 3762